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6 UNITED STATES DISTRICT COURT
7 NORTHERN DISTRICT OF CALIFORNIA

8 UNITED STATES OF AMERICA,)

No. CR 13-0448 TEH

9 Plaintiff,)

Stipulation and ~~Proposed~~
Order Continuing Appearance
Date and Excluding Time
Pursuant to 18 U.S.C. § 3161

10 vs.)

11 LIVIA LILL,)

12 Defendant.)
13)
14)

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17 Defendant LIVIA LILL, represented by Mark Rosenbush, and the government,
18 represented by AUSA Kyle Waldinger, appeared on November 18, 2013 for a status conference.
19 Additional discovery was delivered to the defense on that day. The matter was continued to
20 December 16, 2013 for further status conference. By this stipulated motion the parties are
21 requesting that the status conference be continued to January 27, 2014, at 2:30 p.m. This is a
22 complex matter, involving voluminous discovery. The parties are actively conducting
23 negotiations in hopes of resolving the case. Counsel for defendant Lill requests additional time
24 to review the new discovery, discuss it with Ms. Lill, and further engage in negotiations with
25 AUSA Waldinger. The parties agree that the requested additional time is necessary for adequate
26 preparation of defense counsel, as well as to facilitate negotiations.

27 For that reason the parties agree and request that the December 16, 2013 appearance be
28 taken off calendar, and that the status conference be set instead for January 27, 2014, at 2:30

1 p.m. Additionally, the parties request that the time from December 16, 2013 until January 27,
2 2014 be excluded for adequate preparation and continuity of counsel.

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4 MELINDA HAAG
5 United States Attorney

6 Dated: December 9, 2013

7 /s/
KYLE F. WALDINGER
8 Assistant United States Attorney

9 Dated: December 9, 2013

10 /s/
MARK ROSEN BUSH
11 Attorney for Defendant
LIVIA LILL

12
13 ~~PROPOSED~~ ORDER

14
15 Based on the foregoing representations, the stipulation of the parties above, and for
16 adequate preparation and continuity of counsel, IT IS HEREBY ORDERED that the status
17 conference in this matter is continued from December 16, 2013 to 2:30 p.m. on January 27,
18 2014. Furthermore, based on the representations of counsel and for good cause, the Court finds
19 that failing to exclude time between December 16, 2013 and January 27, 2014 would
20 unreasonably deny the defendant adequate preparation and continuity of counsel, taking into
21 account the exercise of due diligence. 18 U.S.C. §3161 (h)(7)(B)(iv). The Court further finds
22 that the ends of justice served by excluding time for this period outweigh the best interest of the
23 public and the defendant in a speedy trial. Therefore IT IS HEREBY ORDERED that the time
24 between December 16, 2013 and January 27, 2014 shall be excluded from the computation under
25 the Speedy Trial Act, U.S.C. § 3161(h)(7)(A) and (B)(iv).

26 Dated: 12/09/2013

27 Hon. THELTON E. HENDERSON
28 United States

